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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Allen Sentinery,

10 Plaintiff,

11 v.

12 United States Government,

13 Defendant.  
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No. CV-17-03952-PHX-BSB

**ORDER**

15 Pending before the Court is Plaintiff's Amended Complaint. (Doc. 10.) The matter  
16 was referred to Magistrate Judge Bridget S. Bade for a Report and Recommendation.  
17 (Doc. 7.) On January 8, 2018, the Magistrate Judge filed a Report and Recommendation  
18 with this Court. (Doc. 11.) No objections have been filed.

19 **STANDARD OF REVIEW**

20 The Court "may accept, reject, or modify, in whole or in part, the findings or  
21 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1)(C); see Baxter v.  
22 Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the  
23 service of a copy of the Magistrate's recommendation within which to file specific  
24 written objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to  
25 object to a Magistrate Judge's recommendation relieves the Court of conducting *de novo*  
26 review of the Magistrate Judge's factual findings and waives all objections to those  
27 findings on appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to  
28 object to a Magistrate Judge's conclusion "is a factor to be weighed in considering the

propriety of finding waiver of an issue on appeal.” Id.

## DISCUSSION

Having reviewed the Report and Recommendation of the Magistrate Judge, and no Objections having been made by any party thereto, the Court hereby incorporates and adopts the Magistrate Judge’s Report and Recommendation.

Plaintiff’s Amended Complaint (Doc. 10) invokes federal question jurisdiction and alleges claims pursuant to Bivens v. Six Unknown Named Agents, 402 U.S. 388 (1971). (Doc. 11 at 3-4.) The Court adopts the Magistrate Judge’s findings that the Amended Complaint fails to state a valid claim under Bivens and that no Bivens remedy is available against federal agencies. (Id. at 4-5.) Therefore, the Court will dismiss Plaintiff’s Amended Complaint for failure to state a claim under Fed. R. Civ. 12(b)(6).

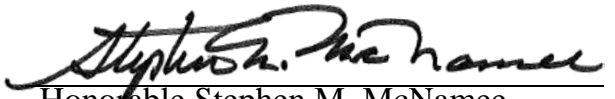
## CONCLUSION

Accordingly,

**IT IS HEREBY ORDERED** that the Court adopts the Report and Recommendation of the Magistrate Judge. (Doc. 11.)

**IT IS FURTHER ORDERED** that Plaintiff’s Amended Complaint is **DISMISSED**, terminating this case. The Clerk of the Court shall enter judgment accordingly.

Dated this 2nd day of February, 2018.

  
Honorable Stephen M. McNamee  
Senior United States District Judge

CC: BSB